

California State Athletic Commission

2005 Evergreen Street, Suite 2010
 Sacramento, CA 95815
 www.dca.ca.gov/csac/
 (916) 263-2195 FAX (916) 263-2197

Members of the Commission*Tim Noonan, Chair**Mario Rodriguez, Vice Chair**June Collison**John Frierson**Christopher Giza, M.D.**Peter Lopez**Howard Rose*

Meeting Agenda
Monday, August 24, 2009
8:30 AM to Close of Business

*Action may be
 taken on any item
 on the agenda except public
 comment.*

Junipero Serra State Building
Carmel Room
320 West 4th Street
Los Angeles, CA 90013

1. Call to Order/ roll call
2. Pledge of Allegiance
3. Approval of Minutes
 - April 13 & 14, 2009
 - June 22, 2009
4. Executive Officer Report – Mr. Thornton
 - Status of Office
 - Personnel Update
 - Budget Update
 - Strategic Planning
5. Public Comment on Items Not on the Agenda
6. Presentation by the Governor's Office – Conflict of Interest
7. Appeal Hearings - Change of Bout Decisions
 - Billy Evangelista vs. Mike Aina – May 16, 2009
 - Nate Campbell vs. Timothy Bradley – August 1, 2009
8. Boxer's Pension Plan - Mr. Deluna
 - Pension Assessment Increase
 - Pension Plan Status Report
9. Weigh-in Physician vs. Ringside Physician – Ms. Scuri/Mr. Maynard
 - Discussion of possible rule change Rule 287 & 288

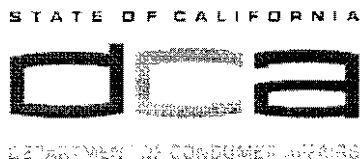
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10. Update on AMMA Delegation - Ms. Scuri/Mr. Maynard
11. Use of Replay in California – Mr. Thornton
12. Timekeeper Equipment - Mr. Deluna
13. Report on use of Decals on Ring Canvas – Mr. Guevara
14. K.O. for girls- Amateur Boxing Application - Mr. Douglas
15. Western States Police & Fire Games – Mr. Thornton
 - Report on Investigation Findings
16. New Promoters for Approval of License - Mr. Douglas
 - Red Scorpion Martial Arts
 - Rouge Boxing
 - The Fight Circuit, LLC
 - K Stand Promotions
 - California Fight Syndicate
 - Big Star Promotions
 - California Kid Promotions
 - Extreme Combat
 - TKO Boxing Promotions
 - South Bay Promotions
17. Appeal of License Denial Re: Joshua Barnett – Ms. Chappelle
18. Agenda Items for Future meetings
19. Closed Session
 - Continued Evaluation of Executive Officer Candidates
(Pursuant to Government Code Section 11126 (a)(1))
19. Adjournment

NOTICE: The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting shall make a request no later than five (5) working days before the meeting to the Commission by contacting Dave Thornton at (916) 263-2195 or sending a written request to Dave Thornton at the California State Athletic Commission, 2005 Evergreen Street, Suite 2010, Sacramento, CA 95815. Requests for further information should be directed to Dave Thornton at the same address and telephone number.

Meetings of the California State Athletic Commission are open to the public except when specifically noticed otherwise in accordance with the Open Meetings Act. The audience will be given appropriate opportunities to comment on any issue presented.

ATTACHMENT #3



California State Athletic Commission

2005 Evergreen St., Ste. #2010
 Sacramento, CA 95815
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 (916) 263-2195 FAX (916) 263-2197



CALIFORNIA STATE ATHLETIC COMMISSION MEETING

Monday, April 13, 2009

1:00 P.M. – Close of Business 5:00 P.M.

Ronald Regan State Building
 Building Property Management
 300 South Spring Street
 Los Angeles, CA 90013
 Auditorium

Minutes

Commissioners Present:

Timothy Noonan, Chairman
 Howard Rose
 Dr. Christopher Giza

Mario Rodriguez, Vice-Chairman
 June Collison
 Peter Lopez

Commissioners Absent:

John Frierson

Staff Present:

Bill Douglas, Assistant Executive Officer
 Sarah Waklee, Office Technician
 Karen Chappelle, Deputy Attorney General

Dean Lohuis, Chief Athletic Inspector
 Che Guevara, Athletic Inspector
 Anita Scuri, DCA Legal Counsel

Guests Present:

Jim Millman, CEO, USA Boxing
 Joe Zanders, President, Southern California LBC
 Venoria Lindsay, President, Border Association LBC
 Jack Reiss, Official
 John McCarthy, Official
 Roy Englebrecht, Promoter
 Todd Meacham, Promoter

Oscar Ortiz, President, Northern California LBC
 Louis Jordan, President, Central California LBC
 Pat Russell, Official
 Gwen Adair, Official
 Marty Denkin, Official
 Don & Lorraine Chargin, Promoters
 Beth Harrington, President, Benefit Resources Inc.

The minutes reflect the order in which the agenda items were heard.

Agenda Item 1. The meeting was called to order at 1:00 P.M. Assistant Executive Officer William Douglas called the roll. Commissioners present and accounted for: Noonan, Collison, Lopez, Rodriguez, Rose and Giza.

Agenda Item 2. Pledge of Allegiance was performed.

Agenda Item 3. Approval of Meeting Minutes

December 15, 2008 (Teleconference)

February 10, 2009

A motion was made, seconded, and carried unanimously to approve the meeting minutes for December 15, 2008 and February 10, 2009.

Agenda Item 13. Approval of Permanent Promoter Licenses – Liberty Boxing and Phantom Promotions

A motion was made, seconded, and carried unanimously to approve the permanent promoter licenses of Phantom Promotions and Liberty Boxing.

Agenda Item 14. The World Police & Fire Games – Jack Reiss

Mr. Jack Reiss and a representative from the Los Angeles Fire Department spoke on behalf of The World Police & Fire Games and sought permission for these events to be conducted in California.

Mr. Reiss explained the history of the games in detail and stated it would be a great opportunity to become “sanctioned and approved.” Chairman Noonan asked if licensure was necessary for these events to move forward. Mr. Reiss interjected and stated “We want to make sure we are not doing anything wrong or outside of the law.” Ms. Scuri responded “There is no exception from the law, you would have to get an amateur promoters license.”

Commission staff agreed to provide the necessary information to Mr. Reiss to permit these events to move forward by sending a promoter packet of information to Mr. Reiss’ attention.

Agenda Item 15. Promoter Concerns

The Commission tabled this agenda item for a future meeting.

Agenda Item 16. Public Comment on Matters Not on the Agenda

Todd Mecham: The California State Athletic Commission has been really good to me. Last year it went really well. William Douglas has done a wonderful job. All of the people behind the scenes are doing a great job. Just wants to say thanks.

Roy Englebrecht: I served on a number of commissions in Orange County. I know it is no pay, tireless. But for all of us that sit here, it is our lives. Your selection tomorrow should be no different from the NHL, NFA, or major league baseball. This person must have and be fully competent in all areas that the commission needs to oversee everything. Competent in business, common sense, know the sports, etc. All promoters in the field are putting faith in the seven (7) commission members.

Agenda Item 17. Agenda Items for Future Meetings

Dr. Wallace: Items for the next agenda.

- medical database/neurology fund testing
- neurological test changes
- revisit pregnancy testing
- promoter concerns
- Rule 403
- USA Boxing
- officials training

Agenda Item 18. Future Meeting Dates

- June 22, 2009 in San Francisco
- August 24, 2009 in Van Nuys

Agenda Item 19. Adjournment

The meeting was adjourned at 5:00 PM.

Agenda Item 5. USA boxing – Order to Show Cause re: Revocation

After much discussion between the representatives of USA Boxing and the California State Athletic Commission to determine whether they should revoke its authority of USA Boxing in the State of California, the Commission granted a forty-five minute negotiation period so that both parties might try to reach a compromise on how amateur boxing would move forward so that all parties' concerns were addressed equally and fairly.

Agenda Item 4. Assistant Executive Officer's Report

AEO Douglas discussed the state of the Commission's day to day operations in the office and the field.

Agenda Item 6. Amateur Mixed Martial Arts – Selection of first meeting date

Commission staff agreed to set up the date, time, and location of the first Amateur Mixed Martial Arts Committee meeting.

Agenda Item 7. Professional Boxers' Pension Plan Update – Rule 406 Status, Distributions for 55+

AEO Douglas advised the Commission that the pension regulation changing the distribution age from 55 to 50 is now in the Office of Administrative Law which has thirty (30) working days to review the file.

Agenda Item 8. Approval to Set Proposed Regulatory Changes for Hearing – Rules: 211, 213, 213.2, 293, and 403.

It was moved, seconded, and voted unanimously to set rules 211, 213, 213.2, and 293 for regulatory hearing. Rule 403 was tabled for further discussion.

Agenda Item 9. Physician's Malpractice Insurance Update – Physicians' Pay Scale

It was moved, seconded, and voted unanimously to approve the proposed pay increase for physicians at regulated events to cover the costs of ringside physician malpractice insurance.

Agenda Item 10. Officials Pay Scale – Mixed Martial Arts, kickboxing, and Amateur Events

It was moved, seconded, and voted unanimously to approve the proposed new officials' pay scales for mixed martial arts/kickboxing and amateur events.

Agenda Item 11. Training for Officials – Schedule and Performance Review

Commission staff agreed to work with the ringside physicians to organize a training session as soon as possible. Commission staff suggested that a committee of officials should be assembled to begin the process of training referees and judges.

USA Boxing.

An agreement was reached between the representatives of USA Boxing and the California State Athletic Commission to form workgroups that would consult with each other on acceptable standards to allow the supervision of amateur boxing to remain intact with USA Boxing for the regulation of amateur boxing in California.

A motion was made, seconded, and carried unanimously to lift the suspension of USA Boxing at this time on condition that each event shall be monitored by CSAC and the schedule of events shall be coordinated by CSAC staff.

Agenda Item 12. Procedure for Change of Decision

The procedure for a change of decision was recently modified in a regulatory change that would grant the Commission the power to overturn a win into a "no decision" if the winning athlete tests positive for a prohibited substance.



California State Athletic Commission Meeting

Monday, June 22, 2009

9:30 A.M. to Close of Business

Elihu Harris State Building
1515 Clay Street; Auditorium
Oakland, California 94612

Minutes

Commissioners Present:

Tim Noonan, Chairman
John Frierson
June Collison

Mario Rodriguez, Vice-Chairman
Howard Rose
Christopher Giza, M.D.

Commissioners Absent:

Peter Lopez

Staff Present:

David Thornton, Interim Executive Officer	Gil Deluna
Che Guevara, Acting Assistant Chief Athletic Inspector	
Anita Scuri, DCA Legal	James Maynard, DCA Legal
Karen Chappelle, Deputy Attorney General	Nichole Bowles
Bill Douglas, Assistant Executive Officer	Richard Novoa, Athletic Inspector
Doreathea Johnson, Deputy Director, Legal Affairs	

Guests:

Roy Englebrecht, Promoter	Ray Rodriguez, Promoter
Cyril Shah, Raymond James Financial	Mike Chu, Matchmaker
Stan Gordon, Timekeeper	Marty Sammon, Official
Jeremy Lappen, CAMO	Steve Fossem, IKF
JT Steele, CAMO	Tom Brown, Matchmaker
Don & Lorraine Chargin, Promoters	Jim Millman, USA Boxing

The minutes reflect the order in which the agenda items were heard.

Agenda Item 1. The meeting was called to order at 9:30 A.M. Interim Executive Officer Dave Thornton called the roll. Commissioners present and accounted for: Collison, Frierson, Giza, Noonan, Rodriguez, and Rose.

Agenda Item 2. The Pledge of Allegiance was recited.

Agenda Item 3. The Commission entered closed session to discuss – those items noticed for closed session.

Agenda Item 4. Approval of Minutes

Chairman Noonan called for a motion to send back the April minutes to be revised to include more detail. Motion was made, seconded, and approved unanimously for the April minutes to be sent back for revision.

Agenda Item 5. AEO report

Chairman Noonan: On June 1,st Dave Thornton was appointed Interim Executive Officer until the EO evaluation processes is complete and a candidate is selected.

Executive Officer Thornton announced that Frank Munoz has pulled back his resignation from CSAC, Bill Douglas has returned to the Athletic Commission as Assistant Executive Officer and will be running day to day operations, and Che Guevara has been appointed to Acting Assistant Chief Athletic Inspector until the commission can appoint a permanent one. Gary Weitman and Gil DeLuna are also on loan from DCA.

Mr. Thornton stated that the fiscal year will be ending in a week and a half and the budget is in good condition. Mr. Thornton is hoping to have a detailed account of the new budget by the August meeting to show how much money CSAC has, where the money goes, and where it comes from.

Commissioner Frierson stated he has been receiving complaints about no one answering the phones in the office or returning calls.

Mr. Thornton advised the commissioners that Gil Deluna is working on hiring a person to answer the phones. Last week the office began having a primary person answer the phone between the hours of 8 a.m. and 5 p.m.. If that individual was not there to answer the phone there was an assigned back up to answer the phone. Mr. Thornton also asked that the commissioners forward or direct any complaints they get to him so he can keep track of them and respond.

Chairman Noonan voiced his concern about matchmaking and the safety of the athletes. Individuals have expressed concerns about matches that were improperly matched.

Mr. Thornton stated the staff has taken a look at these concerns.

Chairman Noonan wanted to know if anyone has spoke with doctors, Inspectors, or people that were at the shows that can verify what is being said by the parties at interest.

Acting Assistant Chief Athletic Inspector Guevara informed the commission that he has been doing the majority of the matchmaking for boxing. For mixed martial arts, Frank Munoz is involved with some of the approvals. He has spoken with the individuals that had some concerns and the concerned individuals cannot attest to any specific bouts that they were concerned about – it was a feeling that fight cards weren't matched properly.

Chairman Noonan would like to ask the Assistant Chief Athletic Inspector to review past matches and compare historical data concerning KO's and TKO's with new data to ensure the safety of the athletes.

Roy Englebrecht states his name and said he received a call from David who works for Golden Boy Promotions around 5pm the previous night, an email from Gary Shaw yesterday, and several other promoters contacted him who could not attend the meeting. They want him to find out whether or not a decision has been made on the Executive

Officer Position and wanted a status report of when someone may be named if no one has been already.

Chairman Noonan stated that no decision had been made.

Mr. Englebrecht also asked about Business and Professions Code Section 154. With respect to the dismissals of staff, do the dismissals have to be approved by the Commission?

Chairman Noonan indicated that those are civil service positions and are handled accordingly.

Mr. Englebrecht wanted to know why B&P Section 154 does not apply.

Anita Scuri advised the commission that the use of the term "commission" in section 154 does not mean this body sitting as a body, it means the person who is in charge of the office at the time which is either the Executive Officer or Assistant Executive Officer. Those are the people who initiate the action. Every board has the same language and every board handles their civil service matters the same way.

Agenda Item 6. Amateur MMA Committee Report

Vice-Chairman Mario Rodriguez stated the "There were a lot of questions but one was "Should amateur MMA be regulated?". It was a unanimous decision that "yes, amateur MMA should be regulated." The next question was if it is regulated, who should be the sanctioning body? "Should it be non-profit or should we take it in house?" The consensus was we do not take it in house. We asked the stake holders to get back together and talk to each other and see if they can come up with one organization.

Gil Deluna stated "I think that everyone is in agreement that it needs to be done now so as soon as they can come up with the right model, they can bring it to the commission and move forward."

Chairman Noonan asked if stakeholders could explain what has been going on in those meetings.

Jeremy Lappen and JT Steele representing the California Amateur Mixed Martial Arts Organization spoke about the meeting.

Ms. Scuri addressed the difference between professional regulations and amateur regulations and advised that staff counsel would review existing regulations to determine if any changes are necessary before authority is delegated to a non-profit pursuant to B & P 18646.

Steve Fossum stated "I never got invited to any meetings and I've been to all of them except for this last one in LA. I have no idea about what went on or what was said. We probably sanction 400 events a year across the nation and about 200 outside the USA and I haven't seen anything from any of this so I didn't know there was a meeting regarding putting something together for amateur MMA."

Vice-Chairman Rodriguez indicated that his recommendation is no matter if there is any type of meeting, an informational meeting or anything like that, every stake holder should absolutely be there."

Agenda Item 7. USA Boxing Report and Update

Jim Melman, CEO of USA Boxing, stated that USA Boxing greatly appreciates the support and cooperation of the California State Athletic Commission over the past few months. "We look forward to a close and effective working partnership with CSAC in the future which I believe has been evident in the last few weeks."

A comprehensive update on the status of USA Boxing was provided by Mr. Millman.

Chairman Noonan wants to know if quarterly meetings with the LBC's was clarified. Mr. Millman answered in the affirmative.

Karen Chappelle stated "we have come to an amicable resolution on the safety standards we require vs. the safety standards that were in affect by USA Boxing."

Mr. Millman noted that USA Boxing would cooperate with a Live Scan fingerprinting program if necessary although the organization's insurance company wonders about the efficacy of the Live Scan program. Additionally, USA Boxing still has some work to do in implementing a "2 Strikes " policy for member violations and must continue to do follow up training for its coaches and officials.

Ms. Chappelle further stated "The biggest concern James and I had is after making substantial progress with USA Boxing, what would happen after Mr. Millman's departure this week. Would these concerns and changes be made and carried forward with the new leadership? This is why we recommended that they remain on probation for at least one year from today's date so that we can be assured that the changes and progress that we have made will remain in affect. "

Chairman Noonan called for a motion to keep USA Boxing on one-year probation. The motion was made, seconded, and approved unanimously to keep USA Boxing on one year probation through June 21, 2010.

Agenda Item 8. Pension Plan

Ms. Scuri advised the commission that, although the age for pension eligibility has been lowered from 55 to 50 via Rule 406 Rules 403 and 405 still have 55 years of in regulation. A request was made to set Rule 405 for regulatory hearing so these regulations may be brought into conformity with the previous changes.

A motion was made, seconded, and carried unanimously to Set Rule 405(d) for regulatory hearing.

Agenda Item 9. Report from Investment Services Provider Raymond James

Cyril Shah advised the commission that the pension fund's current investment profile will work well during the period of increased distributions that will result from lowering the pension eligibility age from 55 to 50.

As of May 30, 2009, the balance of the fund was \$4,295,391.12.

Agenda Item 10. Consideration for Request to Change a Decision

Benji Radach vs. Scott Smith on 4/11/09 in San Jose, CA

Mr. Thornton stated that Mr. Radach was appealing the decision of the referee who stopped the MMA bout with approximately 1:41 left in the third round. Mr. Radach believes that the bout was improperly stopped and that there should have been some consideration given that there was an apparent illegal blow to the back of the head.

This item was pushed to a later time due to technical difficulties with equipment.

Agenda Item 11. Disciplinary hearings

Fight Quest

Assistant Executive Officer Bill Douglas stated that Fight Quest was approved for a temporary license to hold their show on January 31, 2009. They failed to provide proper funding for that show although they had met the initial requirements for a temporary license. The promoter was unable to pay officials and athletes post-show. As a result of that, at the February 10, 2009 meeting, a recommendation was made to the Commission to deny the permanent license of Fight Quest.

Ray Rodriguez, Promoter, stated "On January 31, I put on my first sanctioned event and a lot of things went bad. I counted on ticket sales to pay the fighters. I now know that was a mistake and my fault as it was my first time promoting. I did finally make full payment to the Commission, to the fighters, and Officials."

Chairman Noonan inquired what the amount of the bond was.

Mr. Douglas responded "\$20,000."

Chairman Noonan inquired what the purpose of the bond was.

Mr. Douglas advised that the bond is intended to cover any expenses that may occur in a situation like this. Should a failure occur, there is at least a bond to tap into that would be applied towards athletes first, then officials, and then any outstanding Commission fees or taxes. Further, although it is possible to attach the bond, it dramatically increases the commission's post-bout workload and delays payment to the athletes and officials.

Chairman Noonan recommended to the commission that it require 125% of the purse and expenses for the next event as the bond posted prior to that event. The Commission is making the assumption that all of the contestants and officials have been paid. If there is another violation, the Commission would revoke the license to promote events. Further, if the promoter and the commission are unable to agree on an accounting the promoter's license would be revoked.

A motion was made, seconded, and carried unanimously to require 125% of the purse and expenses as the bond for the next event and provide one more opportunity to promote for Fight Quest.

Wargods

Mr. Douglas discussed the failure of the promoter to regulate the event properly and cited their previous difficulty with past events.

The promoter did not appear at the license revocation hearing.

A motion was made, seconded, and carried unanimously to revoke the promoter's license of Wargods.

Ernest "Sonny" Marson

The manager's license for Sonny Marson was suspended indefinitely pending the outcome of an investigation into allegations that he was making a profit off of amateur boxing without the expressed consent of the commission and that he was using underage fighters, ring card girls, and permitting illegal betting at his events. The Division of Investigation conducted this investigation. None of the allegations that prompted this investigation were established. As a result, Supervising Deputy Attorney General Karen Chappelle recommended that the suspension of Mr. Marson's license be lifted.

A motion was made, seconded, and carried unanimously to lift the suspension of the license of Ernest "Sonny" Marson.

Stan Gordon

Mr. Gordon's timekeeper license was suspended after an event in Sacramento on June 7, 2009. Due to his error, a fight was not stopped until approximately 52 seconds after the round concluded. The round lasted 5 minutes and fifty-two seconds rather than the scheduled five minutes.

Mr. Gordon stated the only defense he had was that he was human and made a mistake.

Karen Chappelle stated there were a total of 21 additional blows that were landed after the time should have ended in that round. Rule 328 provides that timekeepers shall provide themselves with such equipment as prescribed by the commission and shall carry out such duties as directed by the commission staff. Ms. Chappelle recommended that Mr. Gordon's license be suspended for at least 90 days. Additionally, a recommendation was made to review the equipment he uses at fights.

Mr. Engelbrecht spoke in Mr. Gordon's defense noting that at one of his shows a judge and a doctor were no-shows and that they weren't disciplined. Mr. Noonan responded that the commission would look into events.

A motion was made, seconded, and carried unanimously to suspend the timekeeper license of Mr. Gordon for 90 days from the date of the original staff suspension.

Agenda Item 10.

Benji Radach vs. Scott Smith on 4/11/09 in San Jose, CA

A DVD of the bout was reviewed by the Commission after Mr. Radach's management company lodged a complaint with the commission regarding illegal blows to the back of the head.

Ms. Chappelle advised the commission that the reason this comes to you is because there is a time frame as to which you can submit an appeal. This time frame was not met. No written request was made in a timely manner. The commission can, on its own motion move to overturn the decision even though the appeal was not timely and did not conform to the commission's rules.

There was no motion to change the decision so the decision stands as it is."

Agenda Item 12. Agenda Items for Future Meetings

- Advertising decals on ring canvas
- Use of replay
- Review of timekeeper equipment
- Approval of 4/12/09 minutes
- Per ticket assessment for pension fund to comply with statute
- Clarification of ringside physician and weigh-in regulations
- Amateur MMA Committee recommendation

Agenda Item 13. Public Comment

Mr. Steve Bleeker (sp) heartily endorsed CAMMO for the regulation of amateur mixed martial arts.

Agenda Item 14. Adjournment

The meeting was adjourned at 1 p.m.

ATTACHMENT #4

DEPARTMENT OF C ONSUMER AFFAIRS

ATHLETIC COMMISSION
ATHLETIC COMMISSION SUPPORT

BUDGET REPORT
AS OF 6/30/2009

RUN DATE 7/21/2009

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STATE ATHLETIC COMMISSION

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
PERSONAL SERVICES							
SALARIES AND WAGES							
003 00 CIVIL SERVICE-PERM	443,930	0	292,670	0	292,670	151,260	
033 02 ATH INSP MSC 906,910	395,637	52,755	565,270	0	565,270	(169,633)	
033 04 TEMP HELP (907)	0	2,721	36,370	0	36,370	(36,370)	
063 00 STATUTORY-EXEMPT	0	0	43,392	0	43,392	(43,392)	
063 01 BD/COMMSN (901,920)	2,887	0	1,300	0	1,300	1,587	
083 00 OVERTIME	1,000	0	19,789	0	19,789	(18,789)	
TOTAL SALARIES AND WAGES	843,454	55,476	958,791	0	958,791	(115,337)	-13.67%
STAFF BENEFITS							
103 00 ●ASBI	43,266	0	23,220	0	23,220	20,046	
104 00 DENTAL INSURANCE	4,365	0	1,019	0	1,019	3,346	
105 00 HEALTH/WELFARE INS	72,020	0	24,393	0	24,393	47,627	
106 01 RETIREMENT	96,483	0	38,641	0	38,641	57,842	
125 00 WORKERS' COMPENSATIO	19,756	0	0	0	0	19,756	
125 15 SCIF ALLOCATION COST	0	0	2,452	0	2,452	(2,452)	
133 00 UNEMPLOYMENT INSURAN	0	0	6,065	0	6,065	(6,065)	
134 00 OTHER-STAFF BENEFITS	201	0	15,885	0	15,885	(15,684)	
134 02 TRANSIT INVOICES	0	0	128	0	128	(128)	
135 00 LIFE INSURANCE	0	0	125	0	125	(125)	
136 00 VISION CARE	3,180	0	441	0	441	2,739	
137 00 MEDICARE TAXATION	453	0	12,676	0	12,676	(12,223)	
TOTAL STAFF BENEFITS	239,724	0	125,045	0	125,045	114,679	47.84%
SALARY SAVINGS							
141 00 SALARY SAVINGS	(13,204)	0	0	0	0	(13,204)	
TOTAL SALARY SAVINGS	(13,204)	0	0	0	0	(13,204)	100.00%
TOTAL PERSONAL SERVICES	1,069,974	55,476	1,083,836	0	1,083,836	(13,862)	-1.30%
OPERATING EXPENSES & EQUIPMENT							
FINGERPRINTS							
213 04 FINGERPRINT REPORTS	0	0	115	0	115	(115)	
TOTAL FINGERPRINTS	0	0	115	0	115	(115)	0.00%
GENERAL EXPENSE							
201 00 GENERAL EXPENSE	48,875	0	0	0	0	48,875	

DEPARTMENT OF C ONSUMER AFFAIRS

ATHLETIC COMMISSION
ATHLETIC COMMISSION SUPPORT

BUDGET REPORT
AS OF 6/30/2009

RUN DATE 7/21/2009

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STATE ATHLETIC COMMISSION

	DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
205 00	DUES & MEMBERSHIPS	0	0	208	0	208	(208)	
206 00	MISC OFFICE SUPPLIES	0	93	8,158	0	8,158	(8,158)	
206 25	GEN EXPENSE - FILM	0	0	826	0	826	(826)	
207 00	FREIGHT & DRAYAGE	0	0	17,771	0	17,771	(17,771)	
213 01	TRANSCRIPTION SVS	0	0	725	0	725	(725)	
213 02	ADMIN OVERHEAD OTHR	0	6,030	11,433	0	11,433	(11,433)	
225 00	PHOTOGRAPHY	0	0	11	0	11	(11)	
238 00	NOC-GOODS-GEN EXP	0	0	139	0	139	(139)	
239 00	NOC-SERV/RENT-GEN EX	0	0	10	0	10	(10)	
TOTAL	GENERAL EXPENSE	48,875	6,123	39,281	0	39,281	9,594	19.63%
PRINTING								
241 00	PRINTING	4,731	0	0	0	0	4,731	
242 00	PAMPHLT/LEAFLT/BROCH	0	0	135	0	135	(135)	
242 02	REPRODUCTION SVS	0	0	156	0	156	(156)	
242 03	ALLOCATED COPY COSTS	0	0	300	0	300	(300)	
244 00	OFFICE COPIER EXP	0	0	1,212	1,412	2,624	(2,624)	
245 00	PRINTED FORM/STATNRY	0	0	50	1,761	1,811	(1,811)	
TOTAL	PRINTING	4,731	0	1,853	3,173	5,026	(295)	-6.24%
COMMUNICATIONS								
251 00	COMMUNICATIONS	12,363	0	0	0	0	12,363	
252 00	CELL PHONES,PDA,PAGE	0	0	4,811	0	4,811	(4,811)	
254 00	FAX	0	0	24	0	24	(24)	
257 01	TELEPHONE EXCHANGE	0	300	6,833	0	6,833	(6,833)	
TOTAL	COMMUNICATIONS	12,363	300	11,668	0	11,668	695	5.62%
POSTAGE								
261 00	POSTAGE	8,222	0	0	0	0	8,222	
262 00	STAMPS, STAMP ENVEL	0	0	244	0	244	(244)	
263 05	ALLOCATED POSTAGE-DC	0	0	3,664	0	3,664	(3,664)	
TOTAL	POSTAGE	8,222	0	3,908	0	3,908	4,314	52.47%
TRAVEL: IN-STATE								
291 00	TRAVEL: IN-STATE	282,772	0	0	0	0	282,772	
292 00	PER DIEM-I/S	0	27,460	78,974	0	78,974	(78,974)	
294 00	COMMERCIAL AIR-I/S	0	0	30,596	0	30,596	(30,596)	
296 00	PRIVATE CAR-I/S	0	0	161,544	0	161,544	(161,544)	
297 00	RENTAL CAR-I/S	0	913	11,927	0	11,927	(11,927)	
301 00	TAXI & SHUTTLE SERV-	0	0	479	0	479	(479)	

DEPARTMENT OF C OSUMER AFFAIRS

ATHLETIC COMMISSION
ATHLETIC COMMISSION SUPPORT

BUDGET REPORT
AS OF 6/30/2009

RUN DATE 7/21/2009

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STATE ATHLETIC COMMISSION

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
305 00 MGMT/TRANS FEE-I/S	0	0	925	0	925	(925)	
TOTAL TRAVEL: IN-STATE	282,772	28,373	284,445	0	284,445	(1,673)	-0.59%
TRAINING							
331 00 TRAINING	4,731	0	0	0	0	4,731	
332 00 TUITN/REGISTRATN FEE	0	0	143	0	143	(143)	
TOTAL TRAINING	4,731	0	143	0	143	4,588	96.97%
FACILITIES OPERATIONS							
341 00 FACILITIES OPERATION	69,530	0	0	0	0	69,530	
343 00 RENT-BLDG/GRND(NON S	0	0	54,250	0	54,250	(54,250)	
345 01 SECURITY SERVICES	0	0	2,121	0	2,121	(2,121)	
347 00 FACILITY PLNG-DGS	0	0	1,171	0	1,171	(1,171)	
TOTAL FACILITIES OPERATIONS	69,530	0	57,541	0	57,541	11,989	17.24%
C/P SVS - INTERDEPARTMENTAL							
382 00 CONSULT/PROF-INTERDE	2,272	0	0	0	0	2,272	
393 00 HLTH & MED-INTERDEPT	0	0	11,812	0	11,812	(11,812)	
TOTAL C/P SVS - INTERDEPARTMENTAL	2,272	0	11,812	0	11,812	(9,540)	-419.91%
C/P SVS - EXTERNAL							
413 00 HEALTH & MEDICAL-EXT	0	0	36,117	9,102	45,219	(45,219)	
414 30 LEGAL SVS-NON ST ATT	0	0	4,024	0	4,024	(4,024)	
418 02 CONS/PROF SVS-EXTRNL	0	0	8,435	0	8,435	(8,435)	
TOTAL C/P SVS - EXTERNAL	0	0	48,576	9,102	57,678	(57,678)	0.00%
DEPARTMENTAL SERVICES							
424 03 OIS PRO RATA	34,871	0	34,871	0	34,871	0	
427 00 INDIRECT DISTRB COST	120,490	0	120,490	0	120,490	0	
427 01 INTERAGENCY SERVS	105	0	0	0	0	105	
427 30 DOI - PRO RATA	4,844	0	4,844	0	4,844	0	
427 34 PUBLIC AFFAIRS PRO R	6,016	0	6,016	0	6,016	0	
427 35 CCED PRO RATA	5,894	0	5,894	0	5,894	0	
TOTAL DEPARTMENTAL SERVICES	172,220	0	172,115	0	172,115	105	0.06%
DATA PROCESSING							
432 00 MAINTENANCE-IT	3,189	0	0	0	0	3,189	
436 00 SUPPLIES-IT (PAPER,	0	0	407	0	407	(407)	
TOTAL DATA PROCESSING	3,189	0	407	0	407	2,782	87.23%

DEPARTMENT OF CONSUMER AFFAIRS

BUDGET REPORT
AS OF 6/30/2009

RUN DATE 7/21/2009

ATHLETIC COMMISSION
ATHLETIC COMMISSION SUPPORT

PAGE 4

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STATE ATHLETIC COMMISSION

DESCRIPTION	BUDGET	CURR. MONTH	YR-TO-DATE	ENCUMBRANCE	YTD + ENCUMBRANCE	BALANCE	PCNT REMAIN
CENTRAL ADMINISTRATIVE SERVICES							
438 00 PRO RATA	93,465	0	93,465	0	93,465	0	
TOTAL CENTRAL ADMINISTRATIVE SERVICES	93,465	0	93,465	0	93,465	0	0.00%
ENFORCEMENT							
396 00 ATTORNEY GENL-INTERD	88,737	14,702	124,424	0	124,424	(35,687)	
414 31 EVIDENCE/WITNESS FEE	0	1,000	1,100	0	1,100	(1,100)	
418 97 COURT REPORTER SERVS	0	1,000	5,897	0	5,897	(5,897)	
TOTAL ENFORCEMENT	88,737	16,702	131,421	0	131,421	(42,684)	-48.10%
MINOR EQUIPMENT							
226 00 MINOR EQUIPMENT	2,800	0	0	0	0	2,800	
226 70 MIN EQPMT-CELL PHONE	0	0	1,465	0	1,465	(1,465)	
TOTAL MINOR EQUIPMENT	2,800	0	1,465	0	1,465	1,335	47.70%
TOTAL OPERATING EXPENSES & EQUIPMEN	793,907	51,498	858,217	12,275	870,492	(76,585)	-9.65%
SPECIAL ITEMS OF EXPENSE							
TORT PAYMENTS							
611 00 TORT PYMTS-PUNITIVE	0	0	56,429	0	56,429	(56,429)	
TOTAL TORT PAYMENTS	0	0	56,429	0	56,429	(56,429)	0.00%
TOTAL SPECIAL ITEMS OF EXPENSE	0	0	56,429	0	56,429	(56,429)	0.00%
STATE ATHLETIC COMMISSION							
	1,863,881	106,974	1,998,482	12,275	2,010,757	(146,876)	-7.88%
	1,863,881	106,974	1,998,482	12,275	2,010,757	(146,876)	-7.88%

0326 - Athletic Commission Fund

Analysis of Fund Condition

(Dollars in Thousands)

2010-11 BCP Concepts
Prepared 5-13-09

	ACTUAL 2007-08	Current Year 2008-09	Governor's Budget 2009-10	2010-11	2011-12	2012-13
BEGINNING BALANCE	\$ 911	\$ 956	\$ 1,113	\$ 1,548	\$ 1,932	\$ 2,282
Prior Year Adjustment	\$ 148	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,059	\$ 956	\$ 1,113	\$ 1,548	\$ 1,932	\$ 2,282
REVENUES AND TRANSFERS						
Revenues:						
125600 Other regulatory fees	\$ 1,517	\$ 1,651	\$ 1,971	\$ 1,971	\$ 1,971	\$ 1,971
125700 Other regulatory licenses and permits	\$ 6	\$ 26	\$ 25	\$ 24	\$ 24	\$ 24
125800 Renewal fees	\$ 246	\$ 301	\$ 371	\$ 371	\$ 371	\$ 371
125900 Delinquent fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
141200 Sales of documents	\$ 7	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 47	\$ 47	\$ 48	\$ 38	\$ 45	\$ 51
161200 Sales of forest products	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
161400 Miscellaneous revenues	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3
164300 Penalty assessments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 1,826	\$ 2,036	\$ 2,426	\$ 2,415	\$ 2,422	\$ 2,428
Transfers from Other Funds						
F00421 From VIRF loan per Item 1111-001-0326, BA of 2004	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfers to Other Funds						
T00421 To VIRF loan repayment per Item 1110-001-0326, BA of 2004	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues and Transfers	\$ 1,826	\$ 2,036	\$ 2,426	\$ 2,415	\$ 2,422	\$ 2,428
Totals, Resources	\$ 2,885	\$ 2,992	\$ 3,539	\$ 3,963	\$ 4,354	\$ 4,710
EXPENDITURES						
Disbursements:						
<u>Budget Act of 2008</u>						
1110 Program Expenditures (State Operations)	\$ 1,927	\$ 1,878	\$ 1,991	\$ 2,031	\$ 2,071	\$ 2,113
1111 Program Expenditures (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
0840 State Controllers (State Operations)	\$ 2	\$ 1	\$ -	\$ -	\$ -	\$ -
9670 Equity Claims / Board of Control (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Disbursements	\$ 1,929	\$ 1,879	\$ 1,991	\$ 2,031	\$ 2,071	\$ 2,113
FUND BALANCE						
Reserve for economic uncertainties	\$ 956	\$ 1,113	\$ 1,548	\$ 1,932	\$ 2,282	\$ 2,597
Months in Reserve	6.1	6.7	9.1	11.2	13.0	14.5

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED FOR 2008-09 AND ON-GOING.
- B. ASSUMES INTEREST RATE AT 2%.
- C. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR.

0492 - Boxer's Neurological Examination Acc

Analysis of Fund Condition

(Dollars in Thousands)

2009-10 Governor's Budget
Prepared 1-14-09

	ACTUAL 2007-08	Current Year 2008-09	Governor's Budget 2009-10	BY+1 2010-11	2011-12	2012-13
BEGINNING BALANCE	\$ 271	\$ 401	\$ 462	\$ 531	\$ 599	\$ 667
Prior Year Adjustment		\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 271	\$ 401	\$ 462	\$ 531	\$ 599	\$ 667
REVENUES AND TRANSFERS						
Revenues:						
125600 Other regulatory fees	\$ 165	\$ 173	\$ 178	\$ 178	\$ 178	\$ 178
125700 Other regulatory licenses and permits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125800 Renewal fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125900 Delinquent fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
141200 Sales of documents	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 6	\$ 8	\$ 10	\$ 12	\$ 13	\$ 14
161200 Sales of forest products	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
161400 Miscellaneous revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
164300 Penalty assessments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 171	\$ 181	\$ 188	\$ 190	\$ 191	\$ 192
Transfers from Other Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfers to Other Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues and Transfers	\$ 171	\$ 181	\$ 188	\$ 190	\$ 191	\$ 192
Totals, Resources	\$ 442	\$ 582	\$ 650	\$ 721	\$ 790	\$ 859
EXPENDITURES						
Disbursements:						
<u>Budget Act of 2008</u>						
1110 Program Expenditures (State Operations)	\$ 41	\$ 120	\$ 119	\$ 121	\$ 124	\$ 126
0840 State Controller (State Operations)		\$ -		\$ -	\$ -	\$ -
Total Disbursements	\$ 41	\$ 120	\$ 119	\$ 121	\$ 124	\$ 126
FUND BALANCE						
Reserve for economic uncertainties	\$ 401	\$ 462	\$ 531	\$ 599	\$ 667	\$ 733
Months in Reserve	40.1	46.6	52.5	58.1	63.3	68.3

NOTES

- A ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED FOR 2008-09 AND ON-GOING.
- B ASSUMES INTEREST RATE AT 2%.
- C ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR.

9250 - Boxer's Pension Fund

Analysis of Fund Condition

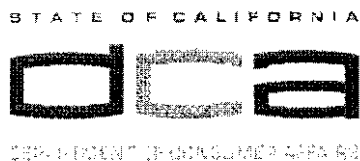
(Dollars in Thousands)

2009-10 Governor's Budget
Prepared 1-14-09

	ACTUAL 2007-08	Current Year 2008-09	Governor's Budget 2009-10	BY+1 2010-11	2011-12	2012-13
BEGINNING BALANCE	\$ 356	\$ 460	\$ 481	\$ 502	\$ 507	\$ 509
Prior Year Adjustment	\$ 22	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 378	\$ 460	\$ 481	\$ 502	\$ 507	\$ 509
REVENUES AND TRANSFERS						
Revenues:						
221600 Other regulatory fees	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
125700 Other regulatory licenses and permits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125800 Renewal fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125900 Delinquent fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
141200 Sales of documents	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
250300 Income from surplus money investments	\$ 18	\$ 23	\$ 24	\$ 10	\$ 10	\$ 10
160400 Sale of fixed assets	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
161400 Miscellaneous revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 118	\$ 123	\$ 124	\$ 110	\$ 110	\$ 110
Transfers from other funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfers to other funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues and Transfers	\$ 118	\$ 123	\$ 124	\$ 110	\$ 110	\$ 110
Totals, Resources	\$ 496	\$ 583	\$ 605	\$ 612	\$ 617	\$ 620
EXPENDITURES						
Disbursements:						
<u>Budget Act of 2008</u>						
1110 Program Expenditures (State Operations)	\$ 36	\$ 102	\$ 103	\$ 105	\$ 107	\$ 109
1111 Program Expenditures (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
0840 State Controller (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Disbursements	\$ 36	\$ 102	\$ 103	\$ 105	\$ 107	\$ 109
FUND BALANCE						
Reserve for economic uncertainties	\$ 460	\$ 481	\$ 502	\$ 507	\$ 509	\$ 510
Months in Reserve	54.1	56.0	57.3	56.7	55.9	54.9

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED FOR 2008-09 AND ON-GOING.
- B. ASSUMES INTEREST RATE AT 2%
- C. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR.




California State Athletic Commission

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(916) 263-2195 FAX (916) 263-2197



August 4, 2009

To: Commissioners
California State Athletic Commission


From: Dave Thornton
Interim Executive Officer

Subject: SB 389 – (Senator Negrete-McLeod)

Issue: SB 389 introduced by Senator Negrete-McLeod imposes fingerprinting requirements for new applicants and petitioners for reinstatement of a license on various boards and bureaus (including the Athletic Commission) within the Department of Consumer Affairs who previously were not required to fingerprint their licensees. A copy of the most current version of the bill is attached for your review along with an analysis done by the Assembly Committee on Public Safety. This bill would also require, beginning January 1, 2011, licensees who have not previously submitted fingerprints to complete the fingerprinting process.

Details: The California State Athletic Commission (Commission) currently requires applicants for promoters, matchmakers, etc., to complete the fingerprinting process and receive clearance from the California Department of Justice and the Federal Bureau of Investigation. However, this legislation, if passed in its current form, would require fingerprint clearance of all Commission licensees including athletes and corners.

Extending the fingerprint clearance requirement to athletes and corners would be problematic. Athletes and corners are issued a license that is valid for one year from date of issuance. Many, who come to California to fight from other states or countries, are licensed days before the scheduled bout and in some cases the day before the bout at the weigh-in. Fingerprint clearance from live scan usually only takes a few days. If live scan is unavailable, paper prints could take weeks to clear.

I have been in contact with the Senator's staff. Apparently, this is now a two year bill which means it would not become effective before January 2011. The Senator is open to reasonable amendments by affected agencies. Therefore, I recommend the Commission seek an amendment that would exempt athletes and corners from the fingerprint requirement of this proposed legislation.

BILL ANALYSIS

SB 389
Page 1Date of Hearing: July 7, 2009
Counsel: Kathleen RaganASSEMBLY COMMITTEE ON PUBLIC SAFETY
Juan Arambula, Chair

SB 389 (Negrete-McLeod) - As Amended: June 1, 2009

SUMMARY : Adds specified licensees to the existing list of licensees required to furnish to the licensing agency a full set of fingerprints for purposes of conducting criminal history record checks, and imposes these requirements on a petitioner for reinstatement of a revoked or cancelled license. Specifically, this bill :

- 1) Makes fingerprinting requirements also applicable to the Dental Board, the Dental Hygiene Committee, the Professional Fiduciaries Bureau, the Osteopathic Medical Board, the Board of Podiatric Medicine, and the Board of Chiropractic Examiners.
- 2) Requires new applicants and petitioners for reinstatement of a revoked, surrendered, or canceled license to successfully complete a state and federal level criminal record information search.
- 3) Commencing January 1, 2011, requires licensees who have not previously submitted fingerprints, or for whom a record of the submission of fingerprints no longer exists, to complete the process necessary for a state and federal criminal offender record information search, as specified.
- 4) Provides that, as a condition of license renewal, a licensee, as specified, shall complete the process necessary for a state and federal criminal offender record information search to be conducted as described, through the Department of Justice and the Federal Bureau of Investigation (FBI). States that failure to provide the necessary information on the search renders an application for licensure incomplete.
- 5) States that no license shall be renewed until certification by the licensee is received by the agency verifying that the licensee has complied with the specified requirements. States

SB 389
Page 2

that the certification shall be made on a form provided by the agency not later than the renewal date of the license.
Requires the licensee to retain, for at least three years, specified evidence that the certification was made.

- 6) Subjects to disciplinary action a licensee who falsely certifies completion of a state and federal level criminal record information search.
- 7) Requires licensees, as a condition of renewal of the license, to notify the Board if the licensee, or any member of the personnel of record of the licensee, has been convicted of a felony or misdemeanor since the last renewal, or, if this is the first renewal, since the initial license has been issued.
- 8) Specifically requires the Contractors' State License Board to implement the provisions pertaining to license renewal on the date on which an appropriation is made in the Annual Budget Act to fund the Board's activities to accommodate a criminal history record check. States that if these provisions become applicable to the Contractors' State License Board on or before July 1, 2012, it shall implement this bill according to a specified schedule. States that if the provisions become applicable after July 1, 2012, the specified license renewal commencement dates shall be delayed for one year.

EXISTING LAW :

- 1) Creates the Department of Consumer Affairs (DCA) within the State and Consumer Services Agency. Provides that the Director of the Department of Consumer Affairs is appointed by the Governor and serves at the pleasure of the Governor. [Business and Professions (B&P) Code Section 151.]
- 2) States that each board within the DCA shall establish such license periods and renewal dates for all licenses in such manner as best to distribute the renewal work of all boards throughout each year. (B&P Code Section 152.6.)
- 3) Authorizes a board to suspend or revoke a license on various grounds, including that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions or duties of the licensed activity. (B&P Code Section 480.)

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BILL NUMBER: SB 389 AMENDED
BILL TEXT

AMENDED IN SENATE JUNE 1, 2009
AMENDED IN SENATE MAY 5, 2009

INTRODUCED BY Senator Negrete McLeod

FEBRUARY 26, 2009

An act to amend Section 144 of, and to add Sections 144.5 and 144.6 to, the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 389, as amended, Negrete McLeod. Professions and vocations.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes a board to suspend or revoke a license on various grounds, including, but not limited to, conviction of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. Existing law requires applicants to certain boards to provide a full set of fingerprints for the purpose of conducting criminal history record checks.

This bill would make that fingerprinting requirement applicable to the Dental Board of California, the Dental Hygiene Committee of California, the Professional Fiduciaries Bureau, the Osteopathic Medical Board of California, the California Board of Podiatric Medicine, and the State Board of Chiropractic Examiners. The bill would require new applicants for a license ~~and,~~

~~and petitioners for reinstatement of a revoked, surrendered, or canceled license, to successfully complete a state and federal level criminal record information search. The bill would also require, commencing January 1, 2011, licensees who have not previously submitted fingerprints, or for whom a record of the submission of fingerprints no longer exists, to ~~successfully~~ complete the process necessary for a state and federal level criminal offender record information search, as specified. The bill would require licensees applying for licens~~
e renewal to certify compliance with that requirement, as specified, and would subject a licensee to disciplinary action for making a false certification. The bill would also require a licensee to, as a condition of renewal of the license, notify the board on the license renewal form if he or she, or any member of the personnel of record of the licensee, has been convicted, as defined, of a felony or misdemeanor since ~~his or her~~ the last renewal, or if this is the licensee's first renewal, since the initial license was issued. The bill would provide that the Contractors' State License Board shall implement the provisions pertaining to renewal licenses on a specified schedule, after an appropriation is made for this purpose, utilizing its applicable fees.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 144 of the Business and Professions Code is amended to read:

144. (a) Notwithstanding any other provision of law, an agency designated in subdivision (b) shall require an applicant for a license or a petitioner for reinstatement of a revoked, surrendered, or canceled license to furnish to the agency a full set of fingerprints for purposes of conducting criminal history record checks and shall require the applicant or petitioner to successfully complete a state and federal level criminal offender record information search conducted through the Department of Justice as provided in subdivision (c) or as otherwise provided in this code.

(b) Subdivision (a) applies to the following:

- (1) California Board of Accountancy.
- (2) State Athletic Commission.
- (3) Board of Behavioral Sciences.
- (4) Court Reporters Board of California.
- (5) State Board of Guide Dogs for the Blind.
- (6) California State Board of Pharmacy.
- (7) Board of Registered Nursing.
- (8) Veterinary Medical Board.
- (9) Registered Veterinary Technician Committee.
- (10) Board of Vocational Nursing and Psychiatric Technicians.
- (11) Respiratory Care Board of California.
- (12) Hearing Aid Dispensers Bureau.
- (13) Physical Therapy Board of California.
- (14) Physician Assistant Committee of the Medical Board of California.
- (15) Speech-Language Pathology and Audiology Board.
- (16) Medical Board of California.
- (17) State Board of Optometry.
- (18) Acupuncture Board.
- (19) Cemetery and Funeral Bureau.
- (20) Bureau of Security and Investigative Services.
- (21) Division of Investigation.
- (22) Board of Psychology.
- (23) California Board of Occupational Therapy.
- (24) Structural Pest Control Board.
- (25) Contractors' State License Board.
- (26) Bureau of Naturopathic Medicine.
- (27) Dental Board of California.
- (28) Dental Hygiene Committee of California.
- (29) Professional Fiduciaries Bureau.
- (30) California Board of Podiatric Medicine.
- (31) Osteopathic Medical Board of California.
- (32) State Board of Chiropractic Examiners.

(c) Except as otherwise provided in this code, each agency listed in subdivision (b) shall direct applicants for a license or a petitioner for reinstatement of a revoked, surrendered, or canceled license to submit to the Department of Justice fingerprint images and related information required by the Department of Justice for the purpose of obtaining information as to the existence and content of a record of state or federal convictions and state or federal arrests and also information as to the existence and content of a record of state or federal arrests for which the Department of Justice establishes that the person is free on bail or on his or her recognizance pending trial or appeal. The Department of Justice shall

forward the fingerprint images and related information received to the Federal Bureau of Investigation and request federal criminal history information. The Department of Justice shall compile and disseminate state and federal responses to the agency pursuant to subdivision (p) of Section 11105 of the Penal Code. The agency shall request from the Department of Justice subsequent arrest notification service, pursuant to Section 11105.2 of the Penal Code, for each person who submitted information pursuant to this subdivision. The Department of Justice shall charge a fee sufficient to cover the cost of processing the request described in this section.

SEC. 2. Section 144.5 is added to the Business and Professions Code, to read:

144.5. (a) Notwithstanding any other provision of law, an agency designated in subdivision (b) of Section 144 shall require a licensee who has not previously submitted fingerprints or for whom a record of the submission of fingerprints no longer exists to, as a condition of license renewal, ~~successfully complete~~ complete the process necessary for a state and federal level criminal offender record information search to be conducted through the Department of Justice as provided in subdivision (d).

~~(b) (1) A licensee described in subdivision (a) shall, as a condition of license renewal, certify on the renewal application that he or she has successfully completed a state and federal level criminal offender record information search pursuant to subdivision (d).~~

~~(2) The licensee shall retain for at least three years, as evidence of the certification made pursuant to paragraph (1), either a receipt showing that he or she has electronically transmitted his or her fingerprint images to the Department of Justice or, for those licensees who did not use an electronic fingerprinting system, a receipt evidencing that the licensee's fingerprints were taken.~~

(b) (1) As a condition of license renewal, a licensee described in subdivision (a) shall complete the process necessary for a state and federal level criminal offender record information search to be conducted as provided in subdivision (d).

(2) No license of a licensee described in subdivision (a) shall be renewed until certification by the licensee is received by the agency verifying that the licensee has complied with this subdivision. The certification shall be made on a form provided by the agency not later than the renewal date of the license.

(3) As evidence of the certification made pursuant to paragraph (2), the licensee shall retain either of the following for at least three years:

(A) The receipt showing that the fingerprint images required by this section were electronically transmitted to the Department of Justice.

(B) For those licensees who did not use an electronic fingerprinting system, the receipt evidencing that the fingerprint images required by this section were taken.

(c) Failure to provide the certification required by subdivision (b) renders an application for license renewal incomplete. An agency shall not renew the license until a complete application is submitted.

(d) Each agency listed in subdivision (b) of Section 144 shall direct licensees described in subdivision (a) to submit to the Department of Justice fingerprint images and related information required by the Department of Justice for the purpose of obtaining information as to the existence and content of a record of state or

federal convictions and state or federal arrests and also information as to the existence and content of a record of state or federal arrests for which the Department of Justice establishes that the person is free on bail or on his or her recognizance pending trial or appeal. The Department of Justice shall forward the fingerprint images and related information received to the Federal Bureau of Investigation and request federal criminal history information. The Department of Justice shall compile and disseminate state and federal responses to the agency pursuant to subdivision (p) of Section 11105 of the Penal Code. The agency shall request from the Department of Justice subsequent arrest notification service, pursuant to Section 11105.2 of the Penal Code, for each person who submitted information pursuant to this subdivision. The Department of Justice shall charge a fee sufficient to cover the cost of processing the request described in this section.

(e) An agency may waive the requirements of this section if the license is inactive or retired, or if the licensee is actively serving in the military. The agency ~~may~~ shall not activate an inactive license or return a retired license to full licensure status for a licensee described in subdivision (a) until the licensee has successfully completed a state and federal level criminal offender record information search pursuant to subdivision (d).

~~(f) With respect to licensees that are business entities, each agency listed in subdivision (b) of Section 144 shall, by regulation, determine which owners, officers, directors, shareholders, members, agents, employees, or other natural persons who are representatives of the business entity are required to submit fingerprint images to the Department of Justice and disclose the information on its renewal forms, as required by this section.~~

~~(g)~~

(f) A licensee who falsely certifies completion of a state and federal level criminal record information search under subdivision ~~(b) may be subject to disciplinary action by his or her licensing agency.~~ (b) shall be subject to disciplinary action.

(g) (1) As it relates to the Contractors' State License Board, the provisions of this section shall become operative on the date on which an appropriation is made in the annual Budget Act to fund the activities of the Contractors' State License Board to accommodate a criminal history record check pursuant to this section. If this section becomes operative with respect to the Contractors' State License Board on or before July 1, 2012, the Contractors' State License Board shall implement this section according to the following schedule, and shall utilize the fees under its fee cap accordingly:

(A) For licenses initially issued between January 1, 2000, and December 31, 2005, inclusive, the certification required under subdivision (b) shall be submitted during the license renewal period that commences on January 1, 2013.

(B) For licenses initially issued between January 1, 1990, and December 31, 1999, inclusive, the certification required under subdivision (b) shall be submitted during the license renewal period that commences on January 1, 2015.

(C) For licenses initially issued prior to January 1, 1990, the certification required under subdivision (b) shall be submitted during the license renewal period that commences on January 1, 2017.

(2) If this section becomes operative with respect to the Contractors' State License Board after July 1, 2012, the license

renewal period commencement dates specified in subparagraphs (A), (B), and (C) of paragraph (1) shall be delayed one year at a time until this section becomes operative with respect to the Contractors' State License Board.

(h) This section shall become operative on January 1, 2011.

SEC. 3. Section 144.6 is added to the Business and Professions Code, to read:

144.6. (a) An agency described in subdivision (b) of Section 144 shall require a licensee, as a condition of license renewal, to ~~notify the board on the license renewal form if he or she has been~~ notify the agency on the license renewal form if he or she, or any member of the personnel of record of the licensee, has been convicted, as defined in Section 490, of a felony or misdemeanor ~~since his or her last renewal, or if this is the licensee's first renewal, since the initial license was issued.~~ since the license was last renewed, or since the license was initially issued if it has not been previously renewed.

(b) The reporting requirement imposed under this section shall apply in addition to any other reporting requirement imposed under this code.

Agenda Item #4 Strategic Planning

18602.5 (a) Business and Professions Code: The commission shall adopt and submit a strategic plan to the Governor and the Legislature on or before September 30, 2008. The commission shall also submit a report to the Governor and the Legislature on the status of the adoption of the strategic plan during the commission's next regularly scheduled sunset review after January 1, 2007. The strategic plan shall include, but shall not be limited to, efforts to resolve prior State Athletic Commission deficiencies in the following areas:

- (1) Regulation of the profession, what fees should be paid for this regulation, and the structure and equity of the fees charged.
 - (2) The effect and appropriateness of contracts made pursuant to Section 18828.
 - (3) Costs to train ringside physicians, referees, timekeepers, and judges.
 - (4) Steps that need to be taken to ensure sufficient sources of revenue and funding.
 - (5) Necessity for review and modification of organizational procedures, the licensing process, and the complaint process.
 - (6) Outdated information technology.
 - (7) Unorganized and improper accounting.
 - (8) Miscalculations at events, a lack of technology to record proper calculations, and funding issues.
 - (9) The health and safety of the participants and the public in attendance at events regulated under this chapter, including costs of examinations under Section 18711.
- (b) The commission shall solicit input from the public, the State Auditor, the Little Hoover Commission, the Center for Public Interest Law, and others as necessary in preparing and adopting the strategic plan.
- (c) The commission shall report on progress in implementing the strategic plan to the Director of Consumer Affairs, the Governor, and the Legislature on or before September 30, 2009.

STATE OF CALIFORNIA



DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission

2005 Evergreen St., Ste. #2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

**AGENDA ITEM #4****DCA 2008 - 2010 Strategic Plan Values:**

Our Values: Our Vision:

As a result of our efforts, California consumers are well-informed and are guaranteed that service providers are competent and ethical.

As a government agency dedicated to serving the interests of California consumers, the Department of Consumer Affairs

(DCA) values:

•

Accountability – We are accountable to the people of California and each other as stakeholders. We operate transparently and encourage public participation in our decision-making whenever possible.

•

Efficiency – We diligently identify the best ways to deliver high-quality services with the most efficient use of our resources.

•

Effectiveness – We make informed decisions that make a difference and have a positive, measurable impact.

•

Integrity – We are honest, fair, and respectful in our treatment of everyone.

•

Customer Service – We acknowledge all stake holders as our customers, listen to them, and take their needs into account.

•

Employees – We are an employer of choice and strategically recruit, train, and retain employees. We value and recognize employee contributions and talent.

•

Unity – We draw strength from our organizational diversity as well

2005 CSAC Mission Vision, Values:

Our Mission:

The California State Athletic Commission fosters a sound and safe environment in which boxing, kickboxing and martial arts can thrive and which provides equal access to licensure for the diverse racial and ethnic communities comprising the public and participants in California. The Commission does this by regulating and facilitating high quality and competitive sports events, while striving to protect the health and welfare of all participants.

To serve the interests of California consumers by ensuring a standard of professionalism in key industries and promoting informed consumer practices.

Our Vision:

The California State Athletic Commission shall make California the model state for the welfare of boxers and other licensees with worldwide respect from the public and the industry.

As a result of our efforts, California consumers are well-informed and are guaranteed that service providers are competent and ethical.

Our Values:

As a government agency dedicated to serving the interests of California consumers, the Department of Consumer Affairs (DCA) values:

- **Accountability** – We are accountable to the people of California and each other as stakeholders. We operate transparently and encourage public participation in our decision-making whenever possible.
- **Efficiency** – We diligently identify the best ways to deliver high quality services with the most efficient use of our resources.
- **Effectiveness** – We make informed decisions that make a difference and have a positive, measurable impact.
- **Integrity** – We are honest, fair and respectful in our treatment of everyone.
- **Customer Service** – We acknowledge all stakeholders as our customers, listen to them and take their needs into account.
- **Employees** – We are an employer of choice and strategically recruit, train and retain employees. We value and recognize employee contributions and talent.
- **Unity** – We draw strength from our organizational diversity as well as California's ever-changing cultural and economic diversity.

ATTACHMENT #7

STATE OF CALIFORNIA



DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission

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**August 18, 2009**

**To: Commissioners
California State Athletic Commission**

**From: Dave Thornton
Interim Executive Officer**

Subject: Appeal of Bout Decision: Billy Evangelista v. Mike Aina – May 15, 2009

The bout between Mr. Evangelista and Mr. Aina was stopped at 3:42 of Round 2 in a mixed martial arts contest in Fresno, California.

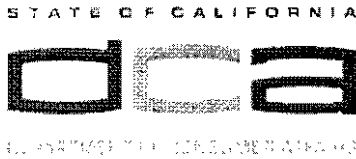
At the stoppage point when the doctor declared Mr. Aina unable to continue, Referee Herb Dean declared the intentional foul.

The bout was awarded to Mr. Aina via disqualification due to an illegal knee strike to the head of Mr. Aina by Mr. Evangelista.

Multiple replays of the incident in "slow motion" began playing in the arena which showed a knee strike by Mr. Evangelista to the shoulder of Mr. Aina which is a "legal" blow.

Referee Dean and Assistant Executive Officer Bill Douglas viewed multiple angles of the incident in slow motion from various cameras surrounding the cage. The footage was viewed in the production truck of ShowTime which allowed each angle to be stopped at the point of impact to clearly outline the knee strike to the shoulder of Mr. Aina by Mr. Evangelista.

The recommendation of the staff to the Commission is to overturn the loss on the record of Mr. Evangelista and the victory on the record of Mr. Aina and declare the bout as a "no decision."

**California State Athletic Commission**

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**AGENDA ITEM #7**

August 18, 2009

**To: Commissioners
California State Athletic Commission**

**From: Dave Thornton
Interim Executive Officer**

**Subject: Appeal of Bout Decision: Timothy Bradley v. Nate Campbell – August
1, 2009**

The bout between Timothy Bradley and Nate Campbell ended in a technical knockout at end of the 3rd round. Timothy Bradley was awarded the decision based on the fact that Nate Campbell could not continue after claiming that he could not see out of his left eye.

With 2:44 left in the 3rd round Nate Campbell suffered an accidental head butt causing a laceration above Mr. Campbell's left eye. Mr. Campbell immediately took a step back and informed referee David Mendoza that he was head butted. Mr. Mendoza ordered him to continue to fight. Mr. Mendoza signaled to Athletic Inspector Mo Noor that the cut was caused by a legal blow.

Immediately after the bell rang to end the 3rd round Mr. Campbell emphatically stated, "I can't see", "I can't see", to his corner.

At that time the ringside physician Dr. Eddie Ayoub went to Campbell's corner and asked if he can see. Again, Campbell maintained that he could not see and told his camp and the ringside doctor he couldn't continue. Dr. Ayoub told Mr. Campbell that "it's not the cut" but the black spots behind your eye that is preventing you from seeing. At that point the Dr. informed the referee he can no longer continue.

After reviewing the multiple replays on the screens in the venue it was evident that the cut was actually caused by an accidental head butt.

Therefore, staff recommends the TKO awarded to Timothy Bradley should be overturned and the bout ruled a no decision.

ATTACHMENT #9

Agenda Item No. 9: Clarifying Language – Use of Ringside Physicians

The rules governing the use of ringside physicians are unclear in that the rules refer to a “club physician” – an otherwise undefined term not taken from the provisions of the Business and Professions Code governing boxing. Business and Professions Code section 18705 mandates that a physician “shall perform the physical examination of the contestants and observe the physical condition of the contestants during the contest or match.” The plain language of this section presumes that the same physician who performs pre-bout physicals should observe the contestant during the fight. Because the California Code of Regulations uses the term “club physician” it was unclear as to whether a “club physician” was the same as a “ringside physician.” This change makes clear that there is only one class of physicians used by the Commission – “ringside physicians” who are assigned and approved by the Commission, not by the promoter, for both pre-bout and ringside duties.

§ 287. Physicians; Certification of Physicians.

The commission shall certify each year a list of commission-approved physicians who will be appointed by the commission as ringside physicians at each boxing match and at each weigh-in. The list of certified physicians shall be available in the headquarters and district offices of the commission.

Note: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18705 and 18706, Business and Professions Code.

§ 288. Ringside Physicians.

Ringside physicians shall meet all of the following criteria:

(a) The physician shall possess a current and unrestricted license issued by the Medical Board of California or the Board of Osteopathic Examiners.

(b) A physician who has not previously been a ringside physician shall hold staff privileges in medicine, surgery, or emergency medicine in a general acute care facility accredited by the Joint Commission on Accreditation of Health Organizations.

(c) A physician who has not previously been approved as a ringside physician shall attend at least two ringside physician training clinics which are sponsored by the commission.

(d) A physician who has not previously been approved as a ringside physician shall be precepted at six (6) contests by a ringside physician, and receive a satisfactory evaluation on at least five (5) of the precepted contests. The preceptee may act as the second physician in attendance at a contest.

(e) “Ringside physician,” as used in this section, means a ~~club~~ physician who is

approved by the commission to attend boxing and martial arts contents as required by Section 18705 of the code.

Note: Authority cited: Sections 18611 and 18705.5, Business and Professions Code.
Reference: Sections 18705 and 18705.5, Business and Professions Code.

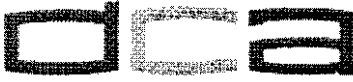
§ 300. Time for Examinations.

A thorough physical and eye examination shall be given each contestant by the ~~club~~ ringside physician at least one hour before the contestant enters the ring to compete. Referees also shall be given physical examinations immediately before officiating at any match.

Note: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18705 and 18706, Business and Professions Code.

ATTACHMENT #11

STATE OF CALIFORNIA



CALIFORNIA STATE AND CONSUMER SERVICES AGENCY

California State Athletic Commission

2005 Evergreen St., Ste. #2010
Sacramento, CA 95815
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(916) 263-2195 FAX (916) 263-2197

**August 12, 2009**

**To: Commissioners,
California State Athletic Commission**

**From: Dave Thornton
Interim Executive Officer**

Subject: Instant Replay

At the June 22, 2009 Commission meeting the Commissioners requested information regarding instant replay's use at boxing events.

I contacted Nick Lembo, a Deputy Attorney General for the state of New Jersey assigned to the State Athletic Control Board. Mr. Lembo stated instant replay was approved in New Jersey in December 2007. According to Mr. Lembo, instant replay would allow the New Jersey Commissioner to review certain issues on the spot, such as:

- a knockdown versus a slip
- accidental versus intentional fouls
- if a cut was the result of a legal strike
- if a fighter beat the count
- low blows
- whether or not a strike landed before the bell rang

The Commissioner, if approached during a round by the contestant's chief second, would review the issue at the end of the round. The bout would be temporarily stopped during the rest period and the Commissioner would have a maximum of three minutes to render a decision or choose to reserve his judgment because further review is needed. Upon the Commissioner's ruling, the bout would then be restarted and would continue.

Mr. Lembo stated the State of New Jersey is not able to supply instant replay. They leave it up to the promoter to provide the necessary equipment if the promoter so chooses. Promoters that don't have the funds or simply choose not to employ instant replay will not be required by the State to do so. At this point, instant replay will be employed if the promoter chooses to utilize it, but it will not be uniformly required. The equipment used by the promoter must be approved by the State Athletic Control Board.

Apparently, according to Mr. Lembo, instant replay has only been used once since it was approved in December 2008 at a Mixed Martial Arts bout he attended. The bout was stopped after an apparent tap from one of the fighters, but the referee was adamant that he did not see a tap from the fighter. Mr. Lembo, who was ringside, stepped in and reviewed the video tape and after several views decided that there was indeed a tap and the other fighter was declared the winner.

Instant Replay
Page 2

I also talked to Keith Kizer, Executive Director of the Nevada State Athletic Commission. According to Mr. Kizer the Nevada Commission is going to consider a regulation change at its next meeting that, if passed, will allow instant replay in Nevada on a much more limited basis than what is currently allowed in New Jersey. Nevada's proposal would only allow the use of instant replay if the bout is stopped and there is a question as to whether the stoppage was caused by a legal blow or a foul. Below is the proposed text for the regulation:

A referee may view a replay, if available, at the conclusion of a contest or exhibition stopped immediately due to an injury to an unarmed combatant pursuant to NAC 467.718 in order to determine whether the injury in question was caused by a legal blow or a foul.

(a) If the determination is made that the injury was the result of a legal blow, the injured unarmed combatant shall be determined to have lost the contest via technical knockout.

(b) If the determination is made that the injury was the result of a foul, it must be determined whether the foul was intentional or accidental.

(1) If deemed intentional, the outcome of the contest shall be determined in accord with NAC 467.698; or

(2) If deemed accidental, the outcome of the contest shall be determined in accord with NAC 467.702 or 467.7966.

If the Commission decides to move forward with a regulation allowing instant replay in California it appears the Nevada proposal is one that would cause the least disruption to the bout.

ATTACHMENT #12

STATE OF CALIFORNIA



DEPARTMENT OF CONSUMER SERVICES

California State Athletic Commission

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August 24, 2009

Report on Timekeepers' Equipment**Background:****Specific Laws and Regulations governing Timekeeper's License and Equipment requirements in California:**

§ 218. Timekeeper's License

(c) Timekeeper. In order to be issued a timekeeper's license, an applicant shall meet all the following requirements:

- (1) Pass a written examination administered by the commission on the California laws and regulations relating to boxing.
- (2) Perform a demonstration of competence by demonstrating the duties of a timekeeper before a representative of the commission.
- (3) The examination and demonstration of competence may be waived if the applicant possesses a current and valid license as a timekeeper in another state or country and has not been subject to any disciplinary action.

§ B&P 18814. The application and renewal fee for a timekeeper's license shall be fifty dollars (\$50) unless the commission establishes a lower fee by regulation.

§ 327. Gong or Bell.

There shall be a bell or gong at the ring no higher than the floor level of the ring. The bell or gong shall be of a clear tone so that the contestants may easily hear it.

§ 328. Equipment.

Timekeepers shall provide themselves with such equipment as prescribed by the commission and shall carry out such duties as directed by the commission representative.

Typical Timekeeping Equipment for combative sports:

- **Commission Approved Round Bell or Gong**
There shall be a bell or gong at the ring no higher than the floor level of the ring. The bell or gong shall be of clear tone so that the fighters and assistants may easily hear it.
- **A Whistle**
The whistle is used by the timekeeper to inform the referee, judges, trainers and the fighters when there are ten seconds left in the round break.
- **A Stop Watch and Back-up**
For official timing of the rounds and rest periods.
- **One or Two pieces of Wood or Paddle**
This is used to slap together or hit the ring canvas three times when there are ten seconds remaining in the fighting round.
- **Air Horn**
This is used mostly at MMA events to signal the round is over.

Analog vs Digital

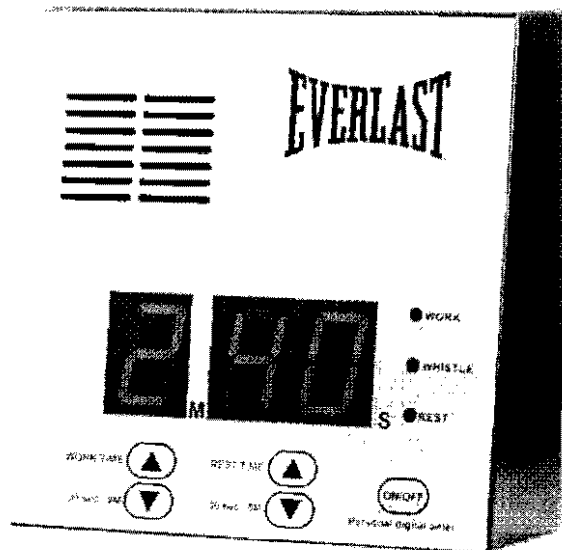
Analog (mechanical):

With an analog watch, the long and short hand simply stop if they are not wound. A timekeeper may be misled into thinking he or she has ample time when this occurs, because there is no warning given that the watch has failed. Additionally, the timekeeper may be unable to recall how many times the hands have gone around and may think there is more, rather than less, time left in a round. On the other hand, analog watches, if they are wound properly and in good working order, can serve timekeeping purposes well.

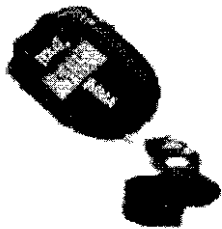
Digital:

Digital watches feature a set of numbers (as shown below) and can tell time very precisely, up to the second. Another advantage of a digital watch is that should the watch fail, the reading immediately disappears and the timekeeper knows it's time to change the watch or change the battery.

Different types of stopwatches and approximate costs:



Cost - \$149.00



Cost - \$21.99

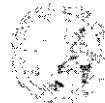
Issue:

CSAC does not have an official approved equipment list for timekeepers. Most of the existing timekeepers use hand-held digital stopwatches that are battery operated and are simple to use.

Recommendation:

- CSAC will develop an approved equipment list to distribute to all new and current Timekeepers.
- CSAC that will only approve the use of digital stopwatches.
- CSAC will develop a timekeeping clinic for potential and existing timekeepers.

ATTACHMENT #14



AGENDA ITEM #14

Knockouts for Girls

Knockouts for Girls has been licensed in California as an amateur promoter since 2008.

KO4G has held two events in California under the guise of the California State Athletic Commission.

Business and Professions Code Section 18646(b) states:

The commission may, however, authorize a nonprofit boxing, wrestling, or martial arts club or organization, upon approval of its bylaws, to administer its rules for amateur boxing, wrestling, and full contact martial arts contests, and may, therefore, waive direct commission application of laws and rules, including licensure, subject to the commission's affirmative finding that the standards and enforcement of similar rules by that club or organization meet or exceed the safety and fairness standards of the commission. The commission shall review the performance of any such club or organization annually.

Based on the information submitted, rules for the conduct of bouts submitted, and observation by CSAC staff at the previous two events, it is the recommendation of the staff to continue the regulation of events promoted by Knockouts for Girls in the State of California.

CSAC will continue to work with KO4G to renew their license annually and provide proper oversight in the interests of health and safety.

ATTACHMENT #16



AGENDA ITEM #16

New Promoters – Approval of License – Staff Recommendation

Red Scorpion Martial Arts – Approve permanent license.

Rogue Boxing – Extend temporary license for one additional event. Next event will be staffed directly by Acting Assistant Chief Athletic Inspector Che Guevara and Assistant Executive Officer Bill Douglas.

The Fight Circuit, LLC – Approve permanent license.

K Stand Promotions – Approve permanent license.

California Fight Syndicate – Approve permanent license.

Big Star Promotions – Approve permanent license.

California Kid Promotions – Approve permanent license.

Extreme Combat – Extend temporary license for one additional event. Next event will be staffed directly by Acting Assistant Chief Athletic Inspector Che Guevara and Assistant Executive Officer Bill Douglas.

TKO Boxing Promotions – Verbal recommendation at Commission meeting after event is completed on August 22, 2009.

South Bay Promotions – Verbal recommendation at Commission meeting after event is completed on August 21, 2009.

ATTACHMENT #17



California State Athletic Commission
2005 Evergreen St., Ste. #2010
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July 31, 2009

Michael J. DiMaggio
Collins, McDonald & Gann
Attorneys at Law
138 Mineola Boulevard
Mineola, NY 11501

VIA FAX & US MAIL

Re: California State Athletic Commission Denial of License to Joshua Barnett

Dear Mr. DiMaggio:

It was a pleasure talking to you on the phone yesterday regarding Mr. Barnett. As I mentioned, the next regularly scheduled meeting of the California State Athletic Commission (Commission) is Monday, August 24, 2009 in Los Angeles, CA. If Mr. Barnett wishes to appear at this meeting to appeal the denial of his license then please let me know on or before August 10, 2009 so that I can place the matter on the Commission's agenda. California law (Open Meetings Act) requires the agenda to be posted 10 days before the meeting. Once it is posted then I cannot add additional items.

In compliance with the request received from your office for material related to the positive test for anabolic steroids and the subsequent denial Joshua Barnett's application for a license to fight in California I submit the following:

- A. One page document showing collection of the urine sample from Joshua Barnett on June 25, 2009 by Athletic Inspector Mohammad Noor at 5:05 PM.
- B. One page document showing transfer of urine samples for Joshua Barnett from Athletic Inspector Mohammad Noor to the UCLA Olympic Analytical Laboratory on June 25, 2009 at 10:10 PM.
- C. Two page Drug Testing Report received by the Commission from the UCLA Olympic Analytical Laboratory.
- D. One page Drug Testing Report received by the Commission from the UCLA Olympic Analytical Laboratory.
- E. Letter of Denial from me to Joshua Barnett dated July 21, 2009.

Section 303 of Title 4 of the California Code of Regulations contains the list of prohibited substances.

The remainder of the documents your office requested can be obtained by making a request for a litigation package to the UCLA Olympic Analytical Laboratory. Their address is:

2122 Granville Avenue
Los Angeles, CA 90025
Phone: (310) 825-2635
FAX : (310) 206-9077

Michael J. DiMaggio
July 31, 2009
Page 2

Please do not hesitate to contact me if you need anything further.

Sincerely,

A handwritten signature in black ink, appearing to read "D. T. Thornton". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

David T. Thornton
Interim Executive Officer

A

UCLA OLYMPIC ANALYTICAL LABORATORY
DEPARTMENT OF PATHOLOGY AND LABORATORY MEDICINE
2122 GRANVILLE AVENUE LOS ANGELES, CA 90025 (310) 825-2635 FAX (310) 206-9077

LABORATORY/SAMPLE INFORMATION

6/25/09
Sample Collection Date

5:05 PM
Sample Collection Time

TEST CONDUCTED FOR THE CALIFORNIA STATE ATHLETIC COMMISSION
Anabolic Steroids and Masking Agents

0 6 4 5 8 4
SAMPLE CODE NUMBER

Specific Gravity and PH levels within range?

~~YES~~ ~~NO~~ - *Not Tested*
Specific Gravity: Greater than or equal to 1.005
PH: Not less than 5.0 and not greater than 7.5

Holiday Inn - Los Angeles, CA
Collection Site Name - City, State

Mixed Martial Arts
Sport

Affliction 3
Event Name

Mohammed Noor
Collector Name (Please print clearly)

[Signature]
Collector Signature

Declaration of any recent blood transfusions, as well as any medications and other substances, including vitamins, minerals, herbs, and other dietary supplements taken during the preceding three (3) days (enter "NONE" if none declared and draw a line through any unused spaces) (attach additional information if necessary):

Name of Substance	Dosage	Date Last taken	Name of Substance	Dosage	Date Last taken
<u>Leukic</u>	<u>6 pills</u>	<u>6/25/09</u>	<u>Cytomax</u>	<u>2-5 scoops</u>	<u>6/25/09</u>
<u>Multi-vitamin</u>	<u>6 pills</u>	<u>6/25/09</u>	<u>Arnica</u>	<u>7 pills</u>	<u>6/25/09</u>
<u>Glucosamine (Chondroitin)</u>	<u>4 pills</u>	<u>6/25/09</u>	<u>L-Glutamine</u>	<u>3 grams</u>	<u>6/25/09</u>

Consent for research (optional): By checking "I Accept" and signing in the space provided, I agree that this sample may be used for anti-doping research purposes. When analyses is completed and this sample would otherwise be discarded, it may then be used by any WADA approved laboratory for anti-doping research of any type provided that it can no longer be identified as my sample.

I Accept I Decline

COMPLETED BY DONOR:

I declare under penalty of perjury under the laws of the State of California that the foregoing information is true and correct; further I realize that any intentional misrepresentation may result in disciplinary action against my license. I certify that I provided my specimen to the collector; that I have not adulterated it in any manner; each specimen bottle used was sealed with a tamper-evident seal in my presence; and that the information and numbers provided on this form and affixed to each specimen bottle are correct.

Josh Barnett
Donor Name (Please print clearly)

[Signature]
Donor Signature

6-25-09
Date

5:05 pm
Time

COMPLETED BY DONOR'S WITNESS:

I assisted the Donor in completing this form and declare under penalty of perjury under the laws of the State of California, that the foregoing information is true and correct; further I realize that any intentional misrepresentation may result in disciplinary action against my license.

Shannon Hooper
Witness Name (Please print clearly)

[Signature]
Witness Signature

6/25/09
Date

5:05 pm
Time



California State Athletic Commission
2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
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Handwritten signature and initials

California State Athletic Commission
Anabolic Agent / Masking Agent Testing

The following urine samples have been transferred from the custody of the "Releasing Inspector" that originally collected the urine sample to Athletic Inspector: Mohammed Noor

Table with 3 columns: Urine Sample For, Releasing Inspector, Time of Transfer. Row 1: Josh Barnett JB, Mohammed Noor, 5:10 PM.

All collections completed and delivery box sealed: 5:10 PM

Departure from: Holiday Inn - 1020 S. Figueroa Los Angeles, CA

Date & Time of Arrival at UCLA Olympic Analytical Laboratory
2122 Granville Ave, Los Angeles Ca 90025: 6/25/09 10:15 PM

UCLA Lab Technician:
Print name: Annabella Leung
Sign name: [Signature]
Date: 6/25/09
Time: 10:10 PM

The urine samples listed above have been transferred from the custody of Athletic Inspector Mohammed Noor to the UCLA Lab at the date and time listed above.



WADA Accredited

UCLA Olympic Analytical Laboratory
Department of Pathology and Laboratory Medicine
2122 Granville Ave. Los Angeles, CA 90025
Phone (310) 825-2635 FAX (310) 206-9077



ACCREDITED
ISO/IEC 17025
Chemical Testing
Certificate: 1420-01

CONFIDENTIAL
DRUG TESTING REPORT CSAC24

ATTACHMENT

California State Athletic Commission
Attn: Sarah Waklee
2005 Evergreen Street, Ste. 2010
Sacramento, CA 95815
Fax: (916) 263-2197

C

UCLA code: MHM
Sport: MMA
Number of samples: 1
Date of laboratory receipt: 06/25/09

The laboratory analyzed the urine specimen listed below using method 1001 anabolic and masking agents.

The custody (C) is intact if indicated by 'Y'.

UCLA Code	Specimen#	Results	C
MHM03	064584	>>>>>>	N SEE LETTER OF JULY 17, 2009

SPECIMEN 064584 = UCLA MHM03 WAS RECEIVED AT THE LABORATORY IN THE FOLLOWING CONDITON: THE 'A' AND 'B' SPECIMEN BOTTLES WERE RECEIVED INTACT. HOWEVER, THE 'B' SPECIMEN BOTTLE WAS INADVERTENTLY OPENED. THE CLIENT WAS INFORMED OF THE INCIDENT AND THE CLIENT INSTRUCTED THE LABORATORY TO PROCEED WITH THE SCREENING OF THE OPENED 'B' BOTTLE. THE 'A' BOTTLE IS INTACT AND SAVED IN THE POSITIVE FREEZER.

Brian Ahrens

7/17/09

Certifying Scientist

Signature

Date

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Chemical Testing
Certificate: 1420-01

CONFIDENTIAL
DRUG TESTING REPORT CSAC24 (MHM03)

July 17, 2009

California State Athletic Commission
Attn: Sarah Waklee
2005 Evergreen Street, Ste. 2010
Sacramento, CA 95815
Fax: (916) 263-2197

Dear Ms. Waklee:

This is a supplemental report for CSAC 064584 = UCLA MHM03, Sport MMA, collection date June 25, 2009 and date received June 25, 2009.

Urine specimen number CSAC 064584 = UCLA MHM03 contains 2 α -methy-5 α -androstan-3 α -ol-17-one.

Brian Ahrens

7/17/09

Certifying Scientist

Signature

Date

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2122 Granville Ave. Los Angeles, CA 90025
Phone (310) 825-2835 FAX (310) 206-9077



ACCREDITED
ISO/IEC 17025
Chemical Testing
C1

CONFIDENTIAL

Confidential Specimen "B" Sample Analysis Result Form

DRUG TESTING REPORT CSAC 24

SAMPLE IDENTIFICATION

Event Affliction 3 Bottle# B 064584 Lab # MHMD3

SAMPLE ACCESSION

"A" bottle is analyzed in accordance with client's e-mail from 7/21/09 UK 7/21/09

I have inspected a clear glass bottle. The clear glass bottle was sealed with a screw type cap. The screw type cap was numbered 064584 and the clear glass bottle was numbered 064584. There was no evidence of tampering.

Signature: [Signature] Date 7/22/09 Time 1:16 a.m./p.m. (p.m.)
Athlete (if present) or Surrogate

Print Name: Elena Guzman Phone: 310) 825-2635

Signature: [Signature] Date 7/22/09 Time 1:17 a.m./p.m. (p.m.)
Witness

Print Name: Brian Bishop Phone: 310) 825-2635

(For Laboratory use only)

Results of Analysis: URINE SAMPLE CONTAINS 2d-METHYL-5d-ANDROSTAN 3d-OL-17-ONE.

Signature of Certifying Scientist: [Signature] Print Name: Yulia Kucherova Date: 7/24/09



Ames
E

July 21, 2009

Re: Results of your Toxicology Report – Notice of License Denied
Joshua Barnett
28150 109th Ave SE
Auburn, WA 98092

Dear Mr. Barnett:

The results of your steroid test taken on June 25, 2009 were positive for 2a-methy-5a-androstan-3a-o1-17-one.

The California Code of Regulations, Title 4, Article 6 Section 303 states:

The administration or use of any drugs, alcohol or stimulants, or injections in any part of the body, either before or during a match, to or by any boxer is prohibited.

Based on the positive laboratory findings, your license for the California has been denied.

Per Business and Professions Code 18842, you have a right to appeal this denial before the Athletic Commission. You must submit your appeal request, in writing, within 30 days of the date of this letter. Upon receipt of your request, your appeal will be included on the agenda for the next available commission meeting.

If you have any questions, please feel free to contact me at any time (916) 263-2195.

Respectfully,

Dave Thornton
Acting Executive Officer

California Athletic Commission
2005 Evergreen St. Suite 2010
Sacramento, CA 95815
Office (916) 263-2195
Fax (916) 263-2197